Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 2100
Application No. 09/869,513
Paper Dated: November 29, 2006
In Reply to USPTO Correspondence of August 30, 2006
Attorney Docket No. 1762-010921

REMARKS

The Office Action, dated August 30, 2006, has been reviewed and the Examiner's comments carefully considered. The present Amendment modifies claims 1, 39 and 40 in accordance with the originally-filed specification.

In particular, all independent claims 1, 39 and 40 of the present application have been amended to more clearly demonstrate the novel and non-obvious differences between the present invention and the cited prior art. New claim 43 has been added and is dependent upon amended independent claim 1. No new matter has been added. Accordingly, claims 1-43 remain in the application, and claims 1, 39 and 40 are in independent form.

Initially, the Examiner has provisionally rejected claims 1-42 under the judicially created doctrine of double patenting in view of claims 1-158 of co-pending Application Serial No. 09/809,595 to Applicant. Applicant notes that this rejection is provisional and therefore will address this matter when the conflicting claims in the co-pending application have been patented.

Program Instructions Configured at the Specialist Website Service

The present invention provides a specialist website service technology, where the meeting planner client and the exhibitor client can themselves separately self-develop, pre-load and fully maintain, through central website database-server program instruction control, single, multiple-show, or virtual convention website content processes. Applicant's application and specification clearly establish the differences between the present invention and the cited prior art, e.g., computer software program instructions configured to create content for use in a virtual convention venue, a physical convention venue or a wide array of convention activities for the attendee client within this specialist website service.

At least a portion of the fundamental and patentable novelty of the present invention in terms of the program instructions configured at the specialist website service is

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set forth in the Abstract (*see* field (57) of the Applicant's published application WIPO WO 00/39694 A1) with: "Based on search criteria provided by the participating attendee client, the central website server releases stored database convention information and provides a wide array of convention activity simulated with the program instructions and the databases."

The present application defines the details of the program instructions configured at the central website server. Applicant draws the Examiner's attention to page 15, lines 6-37, WO 00/39694 A1, specifically the paragraph wherein the FIG. 4 block diagram is introduced (which illustrates the hierarchy/relationship system of individual sub-process programs 500, 600, 700, 800 and 900) and the processing relationship of the program instructions 400 being configured to uphold and maintain the particular attendee program instructions 500. In the middle of this cited paragraph, at lines 20-32, we see this widespread processing foundation of the program instructions 400 and their consequential objective of differentiating the participation within this specialist website process by the attendee client. "These program instructions 400 comprise the information input, processing and output procedures including but not limited to receiving queries, control parameters and content information from any of the three client types, processing in terms of differentiating and storing the information, and releasing appropriate and formatted information. Described in simplest terms, the attendee client global searches and control program instructions 500 on the central website server 200 assists the attendee client 101 in determining what conventions are appropriate for their participation, "registering" and "attending" a convention in the virtual convention venue databases 300."

The specific processing at the central website server by computer software program instructions configured in terms of a 100% cyber-based convention is described at page 16, lines 25 through page 17, line 3, WO 00/39694A1, as follows: "Block 600 in FIG. 4 illustrates the program instructions on the central website server 200 associated with flow

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control, web page display or query to the virtual convention venue databases 300 with respect to a 100% "cyber-based" convention. The computer system implementation allows the creation of cyber conventions that exist only in virtual reality, based on the Internet. It is important to note that the program instructions 600 may be <u>configured</u> to execute only IF the convention defined in conventions database 350 is only 100% cyber-based e.g., not a convention also being held in a physical (venue-based) center such as The Moscone Center in San Francisco (a venue-based convention). The attendee client 101 now has a wide array of convention activity simulated with the program instructions and the databases. These activities are described in greater detail in connection with FIG. 6."

In accordance with the present invention, the system allows for the specific processing at the central website server by computer software program instructions configured to create content for use in a physical convention venue. *See*, e.g., page 17, lines 4-17, WO 00/39694 A1: "Block 700 on FIG. 4 illustrates the program instructions on the central website server 200 associated with flow control, web page display or query to the virtual convention venue databases 300 with respect to a "cyber-based" convention augmenting a venue-based convention. The computer system implementation allows the creation of a cyber convention available to attendees at any time before, during, or after a venue-based convention. Again, the program instructions 700 may be <u>configured</u> to execute with or in support of a venue-based convention. The attendee client 101 has a wide array of activity simulated with the program instructions and the databases. These activities are described in greater detail in connection with FIG. 7." (Emphasis added.)

Further, the presently-invented system provides for the processing at the central website server by computer software program instructions configured to create content for use in convention activity. For example, the Examiner is referred to page 28, lines 20-23, WO 00/39694 A1, "...program instructions provide a wide array of processing

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using the virtual convention venue databases 300 to simulate attendance at a specific convention"; and instructions being configured including: "The attendee client 101 has several major selection choices with follow-up database query and page display processing including a convention welcome message 605, registration desk 610, cyber/exhibit booths 615 with display, cyber sessions 620, cyber forums 625, sponsors list 630, call for papers 635, papers and proceedings presentations 640, cyber broadcast schedule and events 645, and sponsor opportunities 650. Each of these programmed selection choices has special search and database list, dive-down program flow control, web page display or follow-on processing capabilities...". (*See* page 28, line 28 through page 29, line 1 of WO 00/39694 A1.)

The important processing of the attendee client selection at the central website server by computer software program instructions configured to create content in any combination of virtual and physical conventions is described at page 34, lines 22-29, WO 00/39694 A1: "The attendee client 101 now has a wide array of specific convention information provided and activity simulated through the program instructions and the databases. It is important to again note that this programming control section, in terms of programming and displays, is only used IF there is joining or <u>combinations</u> of venue-based conventions WITH cyber conventions." (Emphasis added.)

Following, at page 35, lines 3-13, WO 00/39694 A1, it is recognized that the alike processing at the central website server by computer software program instructions configured to create content for use in convention activity: "...the attendee client 101 has several major selection choices with follow-up database query and page display processing including a convention welcome message 705, registration desk 710, exhibits 715 with display, sessions 720, forums list 725, sponsors list 730, membership 735, call for papers 740, papers and proceedings presentations 745, cyber broadcast schedule and events 750, and sponsor opportunities 755. Each of these programmed selection choices has special search

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and database lists, dive-down program flow control, web page display or follow-on processing capabilities...".

Taken as a whole, these above descriptions and references clearly demonstrate that after a selection for convention content information is received at the website server from the attendee client, that selection is then processed by the computer software program instructions 400, 600 and 700 configured to create content for use in a virtual convention venue, a physical convention venue, and/or convention activity. Hence, these above references and limitations from the specification show certain unique features of the Applicant's invention that can be utilized in the amended claims.

Amended Claims Discussion

The preamble in independent claims 1, 39 and 40 has been amended and returned to the original standing to assist in assuring that the process steps or structural limitations are able to stand alone. Paragraph 47 of the current 8/30/2006 Office Action was taken into consideration; therefore, the limitation "wherein this exchange is accomplished with web browser computers at the clients, with program instructions on [a] central website server" has been deleted. Also, the Applicant has moved the appropriate limitations placed in the preamble and put them in the body of the claim in order to attend to the Examiner's comments in this regard. Further, the independent claims were amended to more clearly specify the general technical environment.

Further, to attend to the Examiner's comments in Paragraph 50 of the current 8/30/2006 Office Action, "program instruction control parameters and" was deleted from step a. of independent claims 1, 39 and 40. Also, "and control parameters" was deleted from step c. of claims 1 and 40, and step d. of claim 39.

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Subsequent to these above amendments, the Applicant has also carefully re-evaluated the Examiner's previous Response (*see* Office Action dated 3/14/2006, page 13, paragraph 48): "In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the application service provider or ASP model) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims." The remaining amendments are directed to the Examiner's comments and now specify these unique "ASP" features.

The specialist website service technology (i.e., ASP model) is distinctive and significant, as discussed in the application (including the citations as noted above): "These program instructions 400 comprise the information input, processing and output procedures"; "the program instructions 600 may be configured to execute only IF the convention defined in the conventions database 350 is only 100% cyber-based"; "the program instructions 700 may be configured to execute with or in support of a venue-based convention"; "Based on search criteria provided by the participating attendee client, the central website server releases stored database convention information and provides a wide array of convention activity simulated with the program instructions"; and, "this programming control section, in terms of programming and displays, is only used IF there is joining or combinations of venue-based conventions WITH cyber conventions". This language from the Applicant's application provides the appropriate support for and description of the "ASP" features and function.

Process step c. of independent claims 1 and 40, and similar process step d. of independent claim 39, have been amended to read: "processing the selection <u>at the central website server by computer software</u> program instructions <u>configured to create content for use in a virtual convention venue, a physical convention venue, a convention activity or any combination thereof</u>". This process step clearly and precisely references the comprehensive

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specification of the present invention as discussed at length above. Therefore, the features upon which the Applicant relies (i.e., the application service provider or ASP model) are now clearly recited in the amended claims.

Finally, one new dependent claim has been added (Claim 43) to assist in providing specific clarity that convention and visitors bureau ("CVB") information can be received at the central website server from the meeting planner client. On page 9, lines 22-22 of the Applicant's published application WIPO WO 00/39694 A1, supportive description is provided as follows: "convention and visitors bureau ("CVB") hosts database 370"; and "The conventions and visitors bureau ("CVB") hosts database 370 may include cross-referencing fields to the conventions database 350 allowing a CVB to host multiple conventions."

Summary - The Fundamental Differences

Respectfully, the Applicant has with each Office Action very carefully considered all particular columns and line numbers in the Salesky patent in their entirety, as well as the context of such passages as disclosed by the Examiner. With respect to paragraph 46 of the current Office Action, the Applicant respectfully reassures the Examiner that Applicant has indeed, fully reviewed the entire Salesky reference and not simply focused on certain citations or limited portions thereof. While Applicant may cite specific places in the application in our arguments, that does not mean the remaining portions have been neglected.

In previously-filed Responses and Amendments, Applicant has distinguished primary, valid and important differences between the present invention and the Salesky patent. In summary, these differences include:

- the dissimilar system topologies (i.e., "the 'communications server' connecting the 'source' and 'sink' client machines of the 'communicants' during a communication session" (col. 3, lines 56-58 of the Salesky patent) against

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specialist website service program instructions on a central website server of the present invention);

- the dissimilar primary applications (i.e., the "tightly bound" (col. 7, line 22) webcast communications sessions of the Salesky patent against the conducting of convention activity of the present invention); and,

- the dissimilar intended use of convention content information (i.e., the "stored meeting contents" (col. 24, lines 66-67) - mere naming or description of the stored recordings of the communications session data streams - of the Salesky patent against the convention content information, together with the intended use of program instructions being configured to simulate convention activity, in a system of ASP-type processing at the central website server of the present invention). And, that the databases and website program instructions being configured to simulate convention activity of the Application, on a central website server, are important structural differences between the claimed invention and the Salesky patent.

In Paragraph 49 of the current Office Action, the Examiner indicates that the system of the Salesky patent has "program instructions on a central website server" referencing column 7, lines 1-4 and Fig. 1 (references 18 a-c, and 12) of the Salesky patent. Applicant notes that these portions of the Salesky patent specification merely indicate that the system of the Salesky patent includes a conference server 14 and a data network 16 for communication purposes.

With respect to claims 1 and 2 of the Salesky patent, it is indicated that at least one client maintains a version of a shared portion of a screen display, or shared portion of a data set, which the conference server transmits those said portions with two or more clients in parallel – while the server performs communications-related data stream controls such as

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network speed and loads changes, compression, decompression, and output data type manipulations. In today's Internet language, we would call the Salesky patent a real-time webcast system; we find noteworthy similar use to today's term webcast with "broadcast" in the Salesky patent at (col 7, line 17), (col 14, line 55), (col 23, line 24), and (col 25, line 17). The term "transmitting" is also used in both claim 1 and claim 2 of the Salesky patent. Thus, the Salesky patent is a shared-display and shared-data set communications system between PCs in parallel – a real-time webcast system.

The Salesky patent is not related to the invention of the present amended application, which describes a specialized website service or "ASP" model where the processing of the Applicant's computer software program instructions are precisely on the central website server, and those program instructions configured to create content for use in a virtual convention venue, a physical convention venue or a convention activity. The Salesky patent does not discuss any such central website server configuration of the program instructions. The clients-in-parallel, shared-display communications webcast system as described in the Salesky patent is not comparable to the Applicant's unaccompanied-clients-not-in-parallel website/ASP-based convention system driven by the program instructions at the central website server. The system and method claimed by the Salesky patent, performed in its normal and usual operation, does not perform the process claimed by Applicant. Still further, there is nothing inherent about receiving from an attendee client a selection for convention content information from the plurality of conventions after such convention content information, including functional descriptive material, is loaded by a meeting planner client with the intended use of providing the website/ASP-based system.

To assist in further distinguishing the differences between the present invention and the Salesky patent, all independent claims of the present application have been amended as fully discussed above to more clearly demonstrate Applicant's specialized

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website service or "ASP" model. This was accomplished by placing the limitation "processing the selection <u>at the central website server by computer software</u> program instructions" in the body of all independent claims. This new language clearly distinguishes the difference between the Applicant's model and the system of the Salesky patent. It should be noted that the word or terms "website", "website program", "website program instructions", or "central website" do not appear in the Salesky patent.

However, to further augment the features upon which Applicant relies (i.e., the application service provider or ASP model), all independent claims have also been amended with respect to the method to read "processing the selection at the central website server by computer software program instructions <u>configured to create content for use in a virtual convention venue, a physical convention venue, a convention activity or any combination thereof</u>". This amendment underlined language clearly delineates this extensive software configuration for the specialist website service technology. Respectfully, the Salesky patent is a shared-display communications webcast system with conferencing software loaded on the presenter client computer and the attendee client computer – not a specialized website service.

Summary

The claimed invention solves many fundamental problems and introduces functions missing in early website work and patents, and is a significant contribution to the state of the art. For the foregoing reasons, none of independent claims 1, 39 and 40, as amended, are anticipated by or rendered obvious over the prior art of record, whether used alone or in combination. In particular, the Salesky patent nor any of the prior art of record teach or suggest the method and system for conducting or augmenting a convention, as specifically set forth in these claims. There is no suggestion in any of the references cited by

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the Examiner to combine these references in a manner that would render the invention, as claimed, obvious. Reconsideration of the rejection of independent claims 1, 39 and 40 is respectfully requested.

Claims 2-38 and 43 depend either directly or indirectly from and add further limitations to independent claim 1 and are believed to be allowable for the reasons discussed hereinabove in connection with independent claim 1. Claims 41 and 42 depend directly from independent claim 40, and are believed to be allowable for the reasons discussed hereinabove in connection with independent claim 40. Therefore, withdrawal of the rejections of claims 2-38, 41 and 42 is respectfully requested.

For all of the foregoing reasons, Applicant believes that claims 1-43 are patentable over the cited prior art and in condition for allowance. Reconsideration of the rejections and allowance of all pending claims are respectfully requested.

Respectfully submitted,

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